

Milbank

RECEIVED  
CENTRAL FAX CENTER

Page 1 of 2

OCT 30 2007

**MILBANK, TWEED, HADLEY & McCLOY LLP**601 S. Figueroa Street, 30<sup>th</sup> Floor, Los Angeles, CA 90017-5735

TEL: 213-892-4000

FAX: 213-629-5063

**NEW YORK**

212-530-5000

FAX: 212-530-5219

**NEW YORK**

Midtown Office

212-530-5800

FAX: 212-530-0158

**WASHINGTON, D.C.**

202-835-7500

FAX: 202-835-7588

**LONDON**

44-207-448-3000

FAX: 44-207-448-3029

**FRANKFURT**

49-89-71914-3400

FAX: 49-89-71914-3500

**MUNICH**

49-89-25559-3600

FAX: 49-89-25559-3700

**BEIJING**

(8610) 5123-5120

FAX: (8610) 5123-5191

**HONG KONG**

852-2871-4888

FAX: 852-2840-0782

**SINGAPORE**

65-6428-2400

FAX: 65-6428-2500

**TOKYO**

813-3504-1050

FAX: 813-3595-2790

**FACSIMILE TRANSMISSION**

Tuesday, October 30, 2007 1:28:32 PM

**TO:** Examiner All**FAX No.:**

15712738300

**Company:****Phone No.:****Number of Pages (Including this cover page):** 02**From:**

Chris L. Holm

**FAX No.:**

213-892-4706

**Email:****Phone No.:**

213-892-4406

**Message:****CONFIDENTIALITY NOTICE:**

The information contained in this facsimile message is intended only for the use of the individual or entity named above and may be legally privileged or confidential. If the reader of this message is not the intended recipient, you are hereby notified that any unauthorized disclosure is strictly prohibited.

RECEIVED  
CENTRAL FAX CENTER

571-273-8300

OCT 30 2007

PTOL-415A (10-07)  
Approved for use through 10/31/2007, OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## Applicant Initiated Interview Request Form

Application No.: 10/614,137 First Named Applicant: Friedman  
Examiner: ALI Art Unit: 3693 Status of Application: 1st Non-Final  
Rejection

## Tentative Participants:

(1) Examiner (2) Chris Holm (A Holm)(3) \_\_\_\_\_ (4) \_\_\_\_\_  
Proposed Date of Interview: Week of Nov 5 Proposed Time: all at 1:00 pm EST (AM/PM)

## Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: \_\_\_\_\_

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejection</u>	<u>6, 11, 17, 20, 27</u>	<u>Rudkin</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

## Brief Description of Arguments to be Presented:

There seems to be a fundamental mis-understanding or disagreement on what the claims are directed to and when Rudkin discloses. As we read Rudkin, there is no sale or transfer to/from an employee except associated with exercise of the option. If the examiner agrees, we have a proposed amendment that should address Rudkin. If the examiner disagrees, we want to discuss the basis.

An interview was conducted on the above-identified application on \_\_\_\_\_  
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Chris L. Holm

Typed/Printed Name of Applicant or Representative

39,227

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 25 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22312-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.